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18 UNITED STATES DISTRICT COURT  
19 CENTRAL DISTRICT OF CALIFORNIA  
20 WESTERN DIVISION

21 ENRIQUE DIAZ,  
22  
23 Petitioner,  
24 v.  
25 LARRY SMALL, Warden,  
26 Respondent.

NO. CV 09-0147 RGK (RNB)  
STIPULATED SUPERSEDING  
PROTECTIVE ORDER; AND  
ORDER THEREON

1 Pursuant to this Court's Order dated May 27, 2011 (Doc. #97) and the status  
2 conference conducted on June 10, Petitioner and Respondent, through their respective  
3 counsel, hereby stipulate, agree and request that this Court enter the following  
4 superseding protective order regarding documents and materials produced to  
5 Respondent during this habeas action:

6 1. Documents and materials from trial counsel's file, including the files of  
7 other defense-team members, produced to Respondent's counsel before the deposition  
8 of trial counsel and the evidentiary hearing shall be deemed confidential. These  
9 documents and materials (hereafter "documents") may be used only by the parties to  
10 this federal habeas litigation, namely (1) representatives from the Office of the  
11 California Attorney General and (2) representatives of the Office of the Federal  
12 Public Defender. These documents may be used by these parties only for purposes of  
13 any proceedings incident to litigating the claims presented in the Petition for Writ of  
14 Habeas Corpus pending before this Court.

15 2. Disclosure of the contents of these documents or the documents  
16 themselves may not be made to any other persons or agencies, including any other  
17 law enforcement or prosecutorial personnel or agencies, without an order from this  
18 Court.

19 3. This order shall continue in effect after the conclusion of the habeas  
20 corpus proceedings and specifically shall apply in the event of a retrial of all or any

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1 portion of Petitioner's criminal case, except that either party maintains the right to  
2 request modification or vacation of this order upon entry of final judgment in this  
3 matter.

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5 Respectfully submitted,

6 SEAN K. KENNEDY  
Federal Public Defender

7 DATED: June 29, 2011

8 By: /s/ Emily J. Groendyke  
9 MARK R. DROZDOWSKI  
EMILY J. GROENDYKE  
Deputy Federal Public Defenders,

10 Counsel for Petitioner,  
11 ENRIQUE DIAZ

12 EDMUND G. BROWN, JR.  
13 Attorney General for the State of  
California

14 DATED: June 29, 2011

15 By: /s/ Allison H. Chung  
16 ALLISON H. CHUNG  
Deputy Attorney General

17 Counsel for Respondent  
LARRY SMALL

18 IT IS SO ORDERED.

19 DATED: June 29, 2011

20   
21 HONORABLE ROBERT N. BLOCK  
United States Magistrate Judge

22 Presented By:

23 SEAN K. KENNEDY  
Federal Public Defender

24 By: /S/  
25 MARK R. DROZDOWSKI  
EMILY J. GROENDYKE  
Deputy Federal Public Defenders

26 Counsel for Petitioner  
ENRIQUE DIAZ  
27  
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